

I-13.01 FHWA/NDDOT Partnership Agreement

Following is a copy of the Partnership Agreement between the FHWA, North Dakota Division, and NDDOT which outlines FHWA oversight on federal-aid projects in North Dakota. See Appendix I-13 A.

I-13.02 FHWA Involvement in Design Program

To increase involvement and input in early project planning, NDDOT has implemented a “Pre-Concept Report Briefing” process. In response to NDDOT’s request, FHWA participates in this new pre-concept planning technique for projects in which FHWA retains full involvement in accordance with the TEA 21 flexibilities exercised by NDDOT. This allows us to get a better understanding of early conceptual project planning and design considerations, and to participate in that transition zone between the transportation planning process and the earliest stage of plan development. It will also provide FHWA with an opportunity for early input into the design considerations/parameters. This process will tie in with the long-range planning and management systems as a means of selecting projects. We view this new NDDOT-initiated process with our anticipation as an important step toward improving our partnership association and cooperation in joint stewardship.

On NHS projects, periodic in-depth PR/PE’s may be undertaken should problems arise. These reviews will be scheduled under the Supplemental Annual Stewardship Plan Element and will concentrate on design standards, as well as design exceptions, that NDDOT may select. Other elements, such as pavements, structures, safety, materials, construction zone signing, and utilities, may be selected for review. In addition, NDDOT’s internal plan development and review process of these projects would also be included.

NHS projects less than \$1,000,000. and non-NHS projects are exempt from FHWA involvement in the design process. The Division conducts only limited checks for eligibility and limits involvement in design to issues directly related to environmental determinations and response to NDDOT requests for technical assistance.

FHWA operations staff will continue being involved on a programmatic basis in other elements of design irrespective of NDDOT’s exemption of certain projects. Examples of this involvement include pavement design, hydraulic design, and specification development.

FHWA will ensure that appropriate NDDOT personnel are informed of changes to Federal requirements; innovative processes, procedures, and equipment; and technological advances which may affect the design process and would result in a better product.

FHWA will continue to promote and participate in design-related training.

I-13.03 Interaction Chart

Following is a chart showing the various levels of FHWA involvement in the NDDOT design process. See Appendix I-13 B

Appendix I-13 A

**PARTNERSHIP AGREEMENT FOR
FHWA/NDDOT STEWARDSHIP OF
THE FEDERAL-AID HIGHWAY PROGRAM**

Whereas, FHWA and NDDOT have agreed to jointly undertake and cooperate in an FHWA/NDDOT partnership plan for Stewardship, and

Whereas, the program will be carried out in accordance with the Transportation Equity Act for the 21st Century (TEA-21), and subsequent highway program legislation, and

Whereas, revised operating procedures were and continue to be necessary to carry out the Federal-aid Highway Program, and

Whereas, an agreement on terms is necessary for both agencies to understand the variances from the previous program relationship, the following partnership agreement is made:

- I. In accordance with the TEA-21, the National Highway System (NHS) in North Dakota consists of 2723 miles.
- II. The remaining system of highways functionally classified as principal arterials, minor arterials, rural major collectors, and urban collectors will make up the Federal-aid roads upon which non-NHS projects can be undertaken.
- III. NHS projects are defined as any project located on the National Highway System, which includes the Interstate System.
- IV. NHS projects estimated to cost \$ 1,000,000 or more will be administered with full project review, oversight and approval by FHWA.
- V. NHS projects estimated to cost less than \$ 1,000,000 will be exempt from FHWA design and construction review and oversight.
- VI. Non-NHS projects, regardless of funding source, are exempt from FHWA project design and construction review and oversight. All FHWA authorizations will be on a project-by-project basis.
- VII. Design and construction standards for Federal-aid and non-Federal-aid projects on the NHS shall be those approved by FHWA in cooperation with NDDOT. All eligible work for such projects shall meet or exceed such standards, or have approved exceptions.

- VIII. Non-NHS projects shall be designed, constructed, operated and maintained in accordance with State laws, regulations, directives, safety standards, and construction standards.
- IX. As a more specific guide for both NDDOT and FHWA, a **Processing Guideline for Stewardship** is attached as part of the plan .
- X. This Partnership for Stewardship Plan is subject to review at any time and may be changed by mutual consent of the parties.

Approved: Date: 5-15-2000

Signed
Tom D. Freier
Director
North Dakota Department of Transportation

Approved: Date: 5-17-2000

Signed
J. Michael Bowen
Division Administrator
Federal Highway Administration

Appendix I-13 B

**STEWARDSHIP AGREEMENT
INTERACTION BETWEEN NDDOT AND FHWA**

HIGHWAY PROGRAM	NATIONAL HIGHWAY/INTERSTATE SYSTEM						NON-NATIONAL HIGHWAY SYSTEM			OTHER		
	> \$1 MILLION			< \$1 MILLION (S = "SMALL PROJECTS")						OFF-SYSTEM/FOREST HIGHWAY/ DEMONSTRATION/DEFENSE, ETC.		
TYPE OF:	Project	FHWA Involvement	Obligation	Project	FHWA Involvement	Obligation	Project	FHWA Involvement	Obligation (STP)	Project	FHWA Involvement	Obligation (STP)
NDDOT AND FHWA INTERACTION	IM	Full	By Project	SIM	Limited	By Project						
	NH	Full	By Project	SNH	Limited	By Project	SS	Partial	By Project			
	NHU	Full	By Project	S-NHU	Limited	By Project	SU	Partial	By Project			
							SC	Partial	By Project	SO	Partial	By Project
	BRI	Full	By Project	S-BRI	Limited	By Project	BRS	Partial	By Project			
	BRN	Full	By Project	SBR	Limited	By Project	BRU	Partial	By Project			
	U-BRN	Full	By Project	U-SBR	Limited	By Project	BRC	Partial	By Project	BRO	Partial	By Project
	HEN	Full	By Project	SHE	Limited	By Project	HES	Partial	By Project			
				S-HEU	Limited	By Project	HEU	Partial	By Project			
							HEC	Partial	By Project	HEO	Partial	By Project
	RSN	Full	By Project	SRS	Limited	By Project	RSS	Partial	By Project			
				S-RSU	Limited	By Project	RSU	Partial	By Project			
							RSC	Partial	By Project	RSO	Partial	By Project
	RPN	Full	By Project	SRP	Limited	By Project	RPS	Partial	By Project			
				S-RPU	Limited	By Project	RPU	Partial	By Project			
							RPC	Partial	By Project	RPO	Partial	By Project
	CM	Full	By Project	SCM	Limited	By Project	CMS	Partial	By Project	FHS	Partial	By Project
	CMU	Full	By Project	S-CMU	Limited	By Project	U-CMU	Partial	By Project	FHC	Partial	By project
	TEI	Full	By Project	STI	Limited	By Project	TES	Partial	By Project	FHO	Partial	By project
	TEN	Full	By Project	STN	Limited	By Project	TEU	Partial	By Project	TEO	Partial	By Project
				S-TNU	Limited	By Project	TEC	Partial	By Project	DPC	Partial	By Project
							TET	Partial	By Project	DPI	Partial	By Project
										ROM	Full	By Project
DESIGN STANDARDS	Interstate AASHTO National Highway System 4-Lane Rural AASHTO Urban AASHTO 2-Lane Rural Total Reconstruction .. AASHTO Resurfacing North Dakota RRR						Rural New Construction AASHTO Resurfacing North Dakota RRR Structures North Dakota RRR and Low Volume Stream Crossing Defense AASHTO/USAF Urban North Dakota Urban					

LEGEND: SEE PAGE 97.

Rev. 2-12-01

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Appendix I-13 B

FHWA INVOLVEMENT	
FULL = Full FHWA Review/Approval in all of following activities:	
PROJECT CONCEPT	Environmental Clearance Class I - EIS Class II - Cat. Ex. Class III - EA/FONSI Field Reviews Alignment Safety Pavement Strategy TS&L Public Hearing Approval Environmental/Concept/ Pavement Structure
DESIGN	Reviews Preliminary Field Final Field PS&E Office Approval Exceptions
ADMINISTRATIVE	Approval PS&E/ROW Construction Authorization Obligation of Funds Contract Addendums Concurrence in Award
CONSTRUCTION	Inspections/Reviews/Approval Quality Assurance/Control Change Orders Time Extensions Final Progressive Estimates Final Field Inspection
LIMITED =	Limited to Environmental/ROW Clearance, Construction Authorization, Obligation of Funds, Process Reviews, and Technical Assistance.
PARTIAL =	Environmental/ROW Clearance, Fiscal Delivery, and Technical Assistance only.

LEGEND

PROJECT PREFIX	
S	= "Small Projects" - National Highway/Interstate Systems - Costing less than \$1 million
IM	= Interstate Maintenance - State Project - Includes all I-4R type of work
SIM	= Interstate Maintenance - "Small" State Project - Includes all I-4R type of work
NH	= National Highway System - State Project - Includes new construction and RRR-type of work
SNH	= National Highway System - "Small" State Project - Includes new construction and RRR-type of work
NHU	= National Highway System - State Urban Project - Includes new construction and RRR-type of work
S-NHU	= National Highway System - "Small" State Urban Project - Includes new construction and RRR-type of work
SS	= Non-National Highway System - State Rural Project
SU	= Non-National Highway System - State or City Urban Project
SC	= Non-National Highway System - County Rural Project
SO	= Non-National Highway System - County Off-System Project - (Bridge Rehabilitation/Replacement-type of work only)
BRI	= Bridge Replacement - State Project - Interstate System
S-BRI	= Bridge Replacement - "Small" State Project - Interstate System
BRN	= Bridge Replacement - State Project - National Highway System
U-BRN	= Urban Bridge Replacement - State Project - National Highway System
SBR	= Bridge Replacement - "Small" State Project - National Highway System
U-SBR	= Urban Bridge Replacement - "Small" State Project - National Highway System
BRS	= Bridge Replacement - State Project - Non-National Highway System
BRU	= Bridge Replacement - State or City Urban Project - Non-National Highway System
BRC	= Bridge Replacement - County Project - Non-National Highway System
BRO	= Bridge Replacement - County Off-System Project
HEN	= High Hazard Elimination - State Safety Project - National Highway System
SHE	= High Hazard Elimination - "Small" State Safety Project - National Highway System
S-HEU	= High Hazard Elimination - "Small" State Urban Safety Project - National Highway System
HES	= High Hazard Elimination - State Safety Project - Non-National Highway System
HEU	= High Hazard Elimination - State or City Urban Safety Project - Non-National Highway System
HEC	= High Hazard Elimination - County Safety Project - Non-National Highway System - (County major collector)
HEO	= High Hazard Elimination - County Off-System Safety Project
RSN	= Railroad Crossing Hazard Elimination - State Safety Project - National Highway System
SRS	= Railroad Crossing Hazard Elimination - "Small" State Safety Project - National Highway System
S-RSU	= Railroad Crossing Hazard Elimination - "Small" State Urban Safety Project - National Highway System
RSS	= Railroad Crossing Hazard Elimination - State Safety Project - Non-National Highway System
RSU	= Railroad Crossing Hazard Elimination - State or City Urban Safety Project - Non-National Highway System
RSC	= Railroad Crossing Hazard Elimination - County Safety Project - Non-National Highway System - (County major collector)
RSO	= Railroad Crossing Hazard Elimination - County Off-System Safety Project
RPN	= Railroad Crossing Protection Device - State Safety Project - National Highway System
SRP	= Railroad Crossing Protection Device - "Small" State Safety Project - National Highway System
S-RPU	= Railroad Crossing Protection Device - "Small" State Urban Safety Project - National Highway System
RPS	= Railroad Crossing Protection Device - State Safety Project - Non-National Highway System
RPU	= Railroad Crossing Protection Device - State or City Urban Safety Project - Non-National Highway System
RPC	= Railroad Crossing Protection Device - County Safety Project - Non-National Highway System - (County major collector)
RPO	= Railroad Crossing Protection Device - County Off-System Safety Project
CM	= Congestion Mitigation - State Rural Project - National Highway/Interstate System
CMU	= Congestion Mitigation - State Urban Project - National Highway/Interstate System
SCM	= Congestion Mitigation - "Small" State Rural Project - National Highway/Interstate System
S-CMU	= Congestion Mitigation - "Small" State Urban Project - National Highway/Interstate System
CMS	= Congestion Mitigation - State Rural Project - Non-National Highway System
U-CMU	= Congestion Mitigation - State or City "Urban" Project - Non-National Highway System
TEI	= Transportation Enhancement - State Project - Interstate System
STI	= Transportation Enhancement - "Small" State Project - Interstate System
TEN	= Transportation Enhancement - State Project - National Highway System
STN	= Transportation Enhancement - "Small" State Project - National Highway System
S-TNU	= Transportation Enhancement - "Small" State Urban Project - National Highway/Interstate System
TES	= Transportation Enhancement - State Project - Non-National Highway System
TEU	= Transportation Enhancement - State or City "Urban" Project - Non-National Highway System
TEC	= Transportation Enhancement - County Project - Non-National Highway System
TEO	= Transportation Enhancement - County Off-System Enhancement Project - (Bicycle Transportation and Pedestrian Walkway Facilities)
TET	= Transportation Enhancement - State Historic Sites, State Parks, and Other Tourism Attractions
FHS	= Forest Highway - State Project
FHC	= Forest Highway - County Project
FHO	= Forest Highway - County Off-System Project
DPC	= Congestion Relief - State Project - (ISTEA Demonstration)
DPI	= Innovative County Project - (ISTEA Demonstration)
HPP	= High Priority Project - (TEA-21 Demonstration)
ROM	= Regraveling Project - U.S. Air Force Transporter-Erector System - (FHWA project designation = OM-AD)

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